

# **St. Croix County Drug Court Program**



## **Participant Handbook**

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## **The St. Croix County Drug Court Program**

This handbook is designed to answer your questions and provide overall information about the Drug Court Program. The Drug Court Program is designed for adults who have pled guilty to a crime related to their drug or alcohol use. It is a combined effort between the criminal justice system and the treatment community. By working together, we want to support and help you maintain a crime-free life in recovery. The goal of the Drug Court Program is to increase your success in treatment and reduce the chances that you will commit a new crime in the future. The Drug Court Team will work with you to make sure you understand what is expected of you.

### **THE DRUG COURT TEAM**

The Drug Court Judge will make all decisions regarding your participation in the Drug Court Program with input from the Drug Court Team. The Drug Court Team consists of the following:

- A Drug Court Coordinator
- A Probation and Parole Agent
- A representative from the District Attorney's Office
- A representative from the Public Defender's Office/Defense Attorney
- A Treatment Counselor
- A representative from Law Enforcement

### **CONFIDENTIALITY**

**Each Drug Court Participant will be required to sign a release of information authorizing the disclosure of health, medical, mental health, AODA, criminal, employment, and educational records if needed. Each Participant will sign the waiver of confidentiality at the time of screening for Drug Court and it will be updated as necessary. Failure to sign a waiver of confidentiality will result in rejection into or termination from the program. Participants will also be required to sign a faith-based programming waiver, if they choose to participate in a faith-based program. State and Federal laws require that your identity and privacy be protected. The Drug Court's policies and procedures have been developed to protect your privacy.**

## **ELIGIBILITY STANDARDS**

Potential candidates meeting the following criteria will be considered for admission to the St. Croix County Drug Court Program:

- Adult (17 or older)
- St. Croix County resident
- Pending felony charges of drug possession/manufacture/delivery, alcohol and/or drug related offense, and/or felony OWI; other charges (may include misdemeanors) related to substance use will be considered on a case by case basis
- Evidence of substance use related problems
- Resolution and/or pending resolution of all other felony charges
- Not a “violent offender” per TAD Statute (Wisc. Stat. 165.95)

All potential candidates will be screened and assessed on a case by case basis.

## **INTAKE/REFERRAL**

Referrals to the Drug Court Program may originate from the following sources:

- Any Circuit Court Judge
- The District Attorney’s Office
- The Defense Attorney
- Probation and Parole Agent
- Program Coordinator
- Individuals (self-referral)

Potential candidates may be given information regarding the Drug Court program by any of the above sources. If the candidate is interested in participating, a formal referral to the Drug Court program may be made by either the candidate’s attorney, the prosecuting attorney or, in the case of an Alternative to Revocation (ATR), by the supervising agent. The formal referral should include a completed attorney referral or ATR referral form and a completed participant application. The case will then be referred to the Drug Court Team for screening. If the candidate meets the eligibility requirements, the participant will be referred to Human Services for the assessment process. Once the assessment process is completed, the candidate’s application will be reviewed by the Drug Court Team. If the Drug Court Team deems the potential candidate appropriate for the program, the candidate will be invited to attend Drug Court to observe. Potential participants will be required to observe at least one Drug Court proceeding prior to acceptance into the program. After observing the Drug Court, the participant will be privately interviewed by the Drug Court Team. Following the interview, the Drug Court Team will make a decision on the application and either the sentencing judge or the Department of Corrections will be notified of that decision. In all Alternatives to Revocation (ATR) referrals, the Department of Corrections will make the final decision. For all other referrals, the sentencing judge will make the final decision on acceptance into the Drug Court Program. Admission of Operating While Intoxicated offenders, and others as deemed necessary by the Drug Court Team, may be conditioned upon the availability of alcohol monitoring devices and the ability of the candidate to use and pay for any such device that is required by the team.

## **PHASES OF DRUG COURT**

The St. Croix County Drug Court Program consists of four (4) phases. The first phase is a minimum of two (2) months, the second phase is a minimum of four (4) months, the third phase is a minimum of five (5) months, and the fourth phase is a minimum of four (4) months, for a total program minimum of 15 months. If the participant is serving a sentence upon acceptance into the program, the individual will begin appearances with the Drug Court immediately but the time spent in jail as part of the initial sentence does not count towards phase advancement.

### **PHASE I**

Goal: Stabilization - Phase I will focus on stabilizing the participant. Phase I will last for a minimum of 60 days.

- The expectations of Phase I are:
  - Attend a minimum of three (3) outside support groups/meetings per week
  - Complete a minimum of 20 hours of work and/or community service per week unless enrolled in education/vocational program (minimum of 12 credits)
  - Complete all required drug tests
  - Weekly appearances before the Drug Court Judge
  - At least one (1) office visit per week with the Drug Court Coordinator and/or Probation and Parole Agent
  - At least one (1) home visit per month, by Drug Court Coordinator Probation and Parole Agent, and/or law enforcement agent
  - Obtain sober sponsor (sponsor will need to write a letter of support to the Drug Court Team prior to advancement to phase II)
  - Follow all other recommendations as determined by Drug Court Team
  - Comply with any other orders by Drug Court Judge
  - Comply with rules of Probation
- The minimum requirements for successful completion of Phase I are:
  - 28 consecutive days of abstinence from mood altering substances and alcohol
  - Establish an approved plan for fulfilling employment and/or community service hours
  - Complete Early Recovery treatment program
  - Obtain a recovery sponsor (the sponsor will need to write a letter of support to the Drug Court Team prior to advancement to Phase II)
  - Establish an approved payment plan for Drug Court fees
  - Establish an approved housing plan
  - Achieve recognition for “five for five” for six different weeks
  - Application must be made to the court for phase advancement and approved by the Drug Court Team

### **PHASE II**

Goal: Treatment - Phase II will focus on regular and consistent engagement in treatment. Phase II will last for a minimum of 120 days.

- The expectations of Phase II are:
  - Attend a minimum of three (3) outside support groups/meetings per week
  - Bi-weekly appearances before the Drug Court Judge

- At least one (1) office visit every two weeks with the Drug Court Coordinator and/or Probation and Parole Agent
  - At least one (1) home visit per month, by Drug Court Coordinator, Probation and Parole Agent, and/or law enforcement agent
  - Maintain weekly contact with sober sponsor (sponsor will need to write a letter of support to the Drug Court Team prior to advancement to phase III)
  - Complete a minimum of 30 hours of work and/or community service per week unless enrolled in education/vocational program (minimum of 12 credits)
  - Complete all required drug tests
  - Follow all other recommendations as determined by Drug Court Team
  - Comply with any other orders by Drug Court Judge
  - Comply with rules of Probation
- The minimum requirements for successful completion of Phase II are:
    - 45 consecutive days of abstinence from mood altering substances and alcohol
    - A 90% attendance rate at treatment sessions
    - Start MRT (if recommended)
    - Compliance with program requirements (including employment, community service, education, housing and payment plans) for at least 30 consecutive days before advancement
    - Achieve recognition for “five for five” for 12 different weeks during Phase II
    - Application must be made to the court for phase advancement and approved by the Drug Court Team

### **PHASE III**

Goal: Transition - Phase III will focus on transitioning the participant to becoming more independent for his or her own recovery. Participants will demonstrate the knowledge and skills they have acquired in Phases I and II. Phase III will last for a minimum of 150 days.

- The expectations of Phase III are:
  - Attend a minimum of three (3) outside support groups/meetings per week
  - Monthly appearances before the Drug Court Judge
  - At least two (2) office visits per month with the Drug Court Coordinator and/or Probation and Parole Agent
  - At least two (2) home visits per month, by Drug Court Coordinator, Probation and Parole Agent, and/or law enforcement agent
  - Maintain weekly contact with sober sponsor (sponsor will need to write a letter of support to the Drug Court Team prior to advancement to phase IV)
  - Complete a minimum of 30 hours of work and/or community service per week unless enrolled in education/vocational program (minimum of 12 credits)
  - Complete all required drug tests
  - Follow all other recommendations as determined by Drug Court Team
  - Comply with any other orders by Drug Court Judge
  - Comply with rules of Probation
- The minimum requirements for successful completion of Phase II are:
  - 60 consecutive days of abstinence from mood altering substances or alcohol
  - Successfully complete treatment with at least 90% attendance rate
  - Compliance with program requirements (including employment, community service, education, housing, and payment plans) for at least 30 consecutive days
  - Complete MRT (if applicable)

- Achieve recognition for “five for five” for 15 different weeks during Phase III
- Application must be made to the court for phase advancement and approved by the Drug Court Team

#### **PHASE IV**

Goal: Maintenance/Sustainability - Phase IV will focus on sustaining and maintaining recovery. The participant will continue to demonstrate behaviors that support long-term abstinence and change. Phase IV will last for a minimum of 120 days.

- The expectations of Phase IV are:
  - Attend a minimum of three (3) outside support groups/meetings per week
  - Bi-monthly appearances before the Drug Court Judge
  - At least one (1) office visits per month with the Drug Court Coordinator and/or Probation and Parole Agent
  - Maintain weekly contact with sober sponsor (sponsor will need to write a letter of support to the Drug Court Team prior to graduation)
  - Complete a minimum of 30 hours of work and/or community service per week unless enrolled in education/vocational program (minimum of 12 credits)
  - Complete all required drug tests
  - Follow all other recommendations as determined by Drug Court Team
  - Comply with any other orders by Drug Court Judge
  - Comply with rules of Probation
- The minimum requirements for successful completion of Phase IV are:
  - 90 consecutive days of abstinence from mood altering substances or alcohol
  - Establish an approved aftercare plan
  - Payment of all drug court fees
  - Compliance with program requirements (including employment, community service, education, housing, and payment plan) for at least 30 consecutive days immediately before graduation
  - Achieve recognition for “five for five” for 12 different weeks during Phase IV
  - Application for graduation must be approved by Drug Court Team prior to graduation. Application should demonstrate that the participant has achieved an understanding of personal problems of addiction, criminal behavior, and relapse prevention

#### **COSTS**

The total cost to participate in the Drug Court Program is \$1,000. Fees must be paid before the end of each phase in order to advance. The cost for each phase is as follows:

<b>Phase I:</b>	<b>\$200</b>
<b>Phase II:</b>	<b>\$250</b>
<b>Phase III:</b>	<b>\$250</b>
<b>Phase IV:</b>	<b>\$300</b>

All Participants will be given the option to complete a wage assignment so that Drug Court fees may be deducted from every paycheck. Participants will be responsible to ensure that Drug Court fees are being

deducted in a timely manner. The weekly amount deducted from each paycheck is determined by the participant.

During Phase I, Participants may elect to perform community service to pay for their Phase I Drug Court fees. Community service hours must be documented and verified each week through the Drug Court Coordinator. You are allowed to complete up to **30 hours of community service at a rate of \$7.50/hour** in lieu of Phase I Drug Court fees. This equals a total of \$225.00. **See your Drug Court coordinator to discuss your options regarding community service towards Drug Court fees.**

## **TREATMENT**

An alcohol and drug assessment will be completed before you start Drug Court to determine your treatment needs. During your time in Drug Court, you will be expected to follow through with the treatment plan that is developed. The Drug Court Team will communicate with your treatment provider to make sure your treatment needs are being met. If there is a need for an increase in treatment, you will be expected to comply with all recommendations.

If an individual requires a higher level of treatment, inpatient, halfway house, etc. the time at that facility will not count towards phase advancement. However, if the placement is at Exodus House, upon successful completion of the program, individuals can earn 8 weeks of credit in phase I.

## **COMMUNITY SUPPORT GROUPS**

You will be required to attend a minimum of three (3) community support groups each week while in Drug Court. Alcoholics Anonymous and Narcotics Anonymous are examples of community support groups. You will be given a list of AA and NA groups in St. Croix County when you start the program. The goal is for you to build a sober support network which will remain in place once you have graduated from Drug Court. Attendance will be verified by a signature and phone number from the individual who chairs the meeting. You will be required to get a sponsor and maintain frequent contact with that sponsor. Individuals currently in the Drug Court Program are not allowed to sponsor other participants in the program.

## **EMPLOYMENT**

You will be required to maintain employment while you are in Drug Court. If you are unemployed upon starting Drug Court, you will be required to apply for jobs and do community service to fulfill these hours until you get a job. Once you become employed, you must be working in a payroll position which has been approved by the Drug Court Coordinator or your probation agent.



## **DRUG COURT TEAM STAFFING**

Before each Drug Court hearing, the Drug Court Team will meet to discuss the participants appearing in Drug Court on that given week. The team will be given progress reports on each participant which are prepared by the Drug Court Coordinator. The progress reports show participation and cooperation in the treatment program, attendance at groups and meetings, employment status, drug testing results, and other information about your progress. The Drug Court Team will ask questions and discuss any achievements you have made and any problems you may be having. During the Drug Court session, which will directly follow each team staffing, the Drug Court Judge will meet with each participant individually. The Drug Court Judge will discuss how you have been doing since your least Drug Court appearance, give praise and rewards for positive progress, hand out any sanctions and go over any new requirements or expectations.

## **CHEMICAL TESTING**

You will be tested randomly throughout the entire Drug Court Program for controlled substances and alcohol as well as other mood altering substances.

- All alcohol and drug testing will be directly observed by same sex personnel.
- Methods of testing are determined by the Drug Court Team and are **not** negotiable.
- **If you miss a test or do not arrive on time to test, it will count as a positive test.**
- Participants must promptly comply with the drug screening procedure if directed to test. If a sample is not produced within one hour, if it is not of sufficient quantity, or is adulterated in any way, it will be treated as a positive sample and reported to the Drug Court Team.
- If you have a positive test in any Drug Court phase **and you have not been honest about your drug, alcohol or other substance use before testing positive**, the Judge, based on Team recommendations, will apply immediate sanctions.
- Testing can be done by your probation agent, treatment provider, the Drug Court Tracker, by the jail or at any Drug Court hearing.
- You must be able to test clean in order to be in the Drug Court Program. This means that you are **not allowed** to take any over the counter medications OR prescription medications which will cause a positive test.

## **DRUG COURT HEARINGS**

Drug Court sessions will be held in Branch II, Courtroom I on Wednesdays from roughly 8:30-10:00 a.m. How frequently you must appear depends upon the phase of Drug Court you are in. People in Phase I appear weekly, Phase II appear every two weeks, Phase III appear once a month, and Phase IV appear once every two months. You will appear frequently in the beginning and gain the privilege of less frequent appearances as you progress through the Drug Court Program. Failure to

attend a Drug Court hearing will result in a warrant being issued for your arrest and detention in jail until you can appear before the court.

Drug Court is open for family members or other members or a participant's support network to attend. Children may attend Drug Court when appropriate; however, participants are strongly encouraged to use discretion in deciding whether the child's presence is appropriate for the child and for the other participants. Individuals present in the courtroom, other than participants, may observe but not participate in proceedings. Individuals wishing to provide input to the Drug Court Team may do so in writing.

At each Drug Court hearing the Drug Court Judge will ask you the following questions after a short discussion about your progress:

1. Do you have your planner? (all participants will be given a planner upon acceptance into the program)
2. Have you passed all of your drug tests since your last appearance in court?
3. Have you completed the required amount of work and/or community service for the week?
4. Did you bring in a copy of your most current pay stub? (This is to verify your employment and hours worked)
5. Did you attend all required AA/NA Meetings and other appointments?

If the answer to all these questions is "yes," you will receive an incentive card which you will write your name on and turn in. After you have earned enough cards, these cards can be redeemed for monetary incentives such as gas cards, Walmart gift cards, money off drug court fees, gift cards to local restaurants, etc.

## **SANCTIONS AND INCENTIVES**

**SANCTIONS** ARE CONSEQUENCES FOR NEGATIVE BEHAVIOR. EXAMPLES OF BEHAVIORS THAT RECEIVE SANCTIONS COULD BE:

<b><u>Behavior</u></b>	<b><u>Sanction Level</u></b>
Absconding	High
Dishonesty	High
Failed Test – 1 <sup>st</sup> Time	Low (requires treatment response)
Failed Test - Repeat	Low - Moderate
Failed to bring planner to Court	Moderate
Failing to complete Sanction	High
Forging Documents	High
Fraternization	Moderate - High
Missed 5X5/Compliance	Low - Moderate
Missed Check-ins	High
Missed Community Service	Low - Moderate
Missed Court Hearing	High
Missed Hours	Low - Moderate
Missed Meeting - 1 <sup>st</sup> Time	Low - Moderate
Missed Meeting - Repeat	Moderate - High
Missed Probation	High
Missed Test – 1 <sup>st</sup> Time	Moderate - High
Missed Test - Repeat	High

Missed Treatment (unexcused) – 1 <sup>st</sup> Time	Moderate - High
Missed Treatment (unexcused) - Repeat	Moderate - High
New Crime	High
Not Following Judges Orders	High
Tampered Test	High
Tardiness – 1 <sup>st</sup> Time	Low - Moderate
Tardiness - Repeat	Moderate - High
Violated Curfew	Moderate – High
Violated travel restrictions	Moderate - High
Violating no contact	Moderate - High
Violating probation rules	Moderate - High

**Examples of sanction responses according to level include but are not limited to:**

<b><u>Low</u></b>	<b><u>Moderate</u></b>	<b><u>High</u></b>
<ul style="list-style-type: none"> <li>• Carey Guide/Thinking Report</li> <li>• Writing Assignment</li> <li>• Verbal Warning</li> <li>• Apology Letters</li> <li>• Journaling/Activity Logs</li> <li>• Paying “No Show” Fees</li> <li>• Pay for Test</li> <li>• Jury Box Removal</li> <li>• No 5X5/Compliance Card</li> <li>• Make up Missed Obligations</li> </ul>	<ul style="list-style-type: none"> <li>• Increase Court Appearances</li> <li>• Increase Testing</li> <li>• Increase Contact with Coordinator/Agent</li> <li>• Community Service Work</li> <li>• Curfew</li> <li>• Travel Restrictions</li> <li>• “Redo + 1...”</li> <li>• GPS Monitor with no schedule restrictions</li> <li>• In court Presentation of Writing assignment</li> </ul>	<ul style="list-style-type: none"> <li>• Jail</li> <li>• Phase Demotion</li> <li>• Loss of Huber</li> <li>• “No Phase”</li> <li>• GPS Monitor with schedule restrictions (i.e. home detention)</li> <li>• Sobrieter</li> <li>• Required Change of Employment</li> <li>• Termination</li> </ul>

**INCENTIVES** are responses to compliance, and are perceived as positive. When you consistently and positively participate in the St. Croix County Drug Court Program, you may receive incentives for maintaining sobriety and abiding by the conditions of the Drug Court Program and Probation. These include, but are not limited to:

<b><u>Behavior</u></b>	<b><u>Reward Level</u></b>
“Handling things well”/resourceful	Moderate
5X5 Compliance	Low – Moderate
Calling in for testing	Low
Chairing support group/meeting	Moderate
Clean/valid test milestones	Low – High
Completing assignments	Low
Completing treatment	High
Disclosure of information	High
Engagement in treatment/positive reports	Moderate
Extra meetings	Moderate
Extra programming	Moderate
Extra volunteering	Moderate
Getting a job	Moderate – High
Getting license	Moderate - High
Getting sponsor	Low
Helping peers	Moderate
Honesty	Low
Making meetings	Low
Milestones of sobriety	High
MRT completion	High
New insights into self-awareness	Moderate
Overcoming obstacles	Moderate
Permanent housing	Moderate – High
Phase advancement	High
Problem solving	Moderate
Reunification with child	High
Showing up for court	Low
Showing up for testing	Low

**Examples of reward responses to positive behavior include but are not limited to:**

<b><u>Low</u></b>	<b><u>Moderate</u></b>	<b><u>High</u></b>
<ul style="list-style-type: none"> <li>• 5X5 Card</li> <li>• Verbal praise</li> <li>• Applause</li> <li>• Candy</li> </ul>	<ul style="list-style-type: none"> <li>• Extra incentive card</li> <li>• Gift card</li> <li>• Certificate</li> <li>• Reduced community restrictions</li> <li>• Travel privileges</li> <li>• Reduced supervision requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Legal incentives</li> <li>• Written recognition by Judge</li> <li>• Money off Drug Court fees</li> <li>• Recommendation for early discharge</li> <li>• Phase advancement</li> <li>• Graduation ceremony</li> </ul>

## **TERMINATION**

A Drug Court Participant *may* be terminated from the Drug Court Program for any of the following:

- Commission of a crime
- Failure to attend 4 consecutive scheduled Drug Court hearings (automatic termination)
- Evidence that a participant is involved in drug dealings or driving while under the influence of an intoxicant
- Evidence that a participant has been involved in any threatening, abusive, or violent verbal/physical behavior towards anyone
- Tampering with any required drug/alcohol test
- Inability to pass required drug/alcohol screening tests
- Revocation of Probation/Parole/Extended Supervision
- Any other grounds that the Drug Court finds sufficient for termination

## **PROCESS FOR TERMINATION**

Any member of the Drug Court Team may make a request for termination. The team then discusses and votes on the request. A majority vote is needed to continue with the termination procedures. The participant will be given notice of the termination in court by the Judge. The coordinator will then meet with the participant and inform them of their right for a final hearing and meeting with the Drug Court Team. The participant can choose not to meet with the team and continue with the final hearing. The participant will receive written notice within 24 hours of being notified of termination about the reasoning for termination and the rights he/she has at the final hearing. If the participant requests a meeting, the Drug Court Team will meet with the participant and discuss whether or not to move ahead with the termination. Following that meeting, a vote on the proposed termination will be completed by the Drug Court Team. If the team decides to continue with the termination, the Judge will be notified of the final decision and a final hearing will be scheduled. During the hearing, the participant can waive their right to participate in the hearing, or they can continue with it. The judge must find that there has been a violation of drug court rules or policy. At the conclusion of the hearing, the Judge will make a final decision on whether or not termination is appropriate.

## **GRADUATION**

Upon successful completion of all four (4) phases, including the payment of all fees, continued sobriety, and upon recommendation of the Drug Court Team, you will graduate from the Drug Court Program.

Graduation from the Drug Court Program is recognized as a very important event. Your loved ones and friends will be invited to join you at a special ceremony as the Drug Court Team congratulates you for successfully completing all phases of the Drug Court Program and achieving your goal to establish a chemical-free life. All current Drug Court Participants are ***required*** to attend all graduations unless given special permission to be excused.

## **CONCLUSION**

The goal of the Drug Court Program is to help you achieve a crime-free life free of dependence on mind-altering substances. The Drug Court Judge and the Drug Court Team are here to guide and assist you but the final responsibility is yours. To succeed, you must be willing to work with the Drug Court Team to make the changes necessary to maintain a healthy life in recovery.

## **TIPS ON HOW TO SUCCEED**

1. **BE HONEST. HONESTY IS ESSENTIAL TO RECOVERY AND SUCCESS IN THE PROGRAM.**
2. Attend all required court appearances.
3. You will be busy with appointments and court dates, so put all of your appointments in the daily planner that has been provided for you. You must bring your planner to all meetings and court appearances. **Please make arrangements with the Drug Court coordinator if you feel you could use help organizing your planner.**
4. Plan your schedule (work, school, treatment) in advance.
5. If you have a problem making early morning appointments and court appearances, go to bed early and buy an alarm clock.
6. Know your treatment schedule; you are responsible for attending all scheduled groups. Keeping appointments and attending group is as important as coming to court.
7. Do **NOT** have romantic relationships with other Drug Court Participants.
8. If you absolutely cannot make an appointment or court appearance, **CALL BEFORE**, not after. If you are going to miss a treatment group or therapy session with a provider, call the treatment facilitator or provider to be excused or to inform them you will be tardy, **THEN** call and inform the Drug Court Coordinator. If you are going to be late or miss your meeting with your probation agent, contact your agent.
9. Plan ahead. If transportation is a problem, have a back-up plan to get where you have to be. Failure to have adequate transportation is not an excuse.
10. Keep all your paperwork. Do not throw anything away.
11. Carry a photo ID with you at all times.

**“IF YOU DO NOT CHANGE DIRECTION, YOU  
MAY END UP WHERE YOU ARE GOING.”**

**—LAO TZU**